

# House File 253 - Enrolled

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HOUSE FILE 253

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1 3 AN ACT  
1 4 RELATING TO GOVERNMENTAL ETHICS AND THE DUTIES OF THE IOWA  
1 5 ETHICS AND CAMPAIGN DISCLOSURE BOARD.

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1 7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 9 Section 1. Section 68B.1, Code 2005, is amended to read as  
1 10 follows:

1 11 68B.1 TITLE OF ACT.

1 12 This chapter shall be known as the "~~Iowa Public Officials~~  
1 13 Government Ethics and Lobbying Act".

1 14 Sec. 2. Section 68B.2, subsections 1 and 2, Code 2005, are  
1 15 amended to read as follows:

1 16 1. "Agency" means a department, division, board,  
1 17 commission, bureau, authority, or office of the executive or  
1 18 legislative branch of state government, the office of attorney  
1 19 general, the state board of regents, community colleges, and  
1 20 the office of the governor, including a regulatory agency, or  
1 21 any department, division, board, commission, bureau, or office  
1 22 of a political subdivision of the state, but does not include  
1 23 any agricultural commodity promotional board, which is subject  
1 24 to a producer referendum.

1 25 2. "Agency of state government" or "state agency" means a  
1 26 department, division, board, commission, bureau, authority, or  
1 27 office of the executive or legislative branch of state  
1 28 government, the office of attorney general, the state board of  
1 29 regents, community colleges, and the office of the governor,  
1 30 including a regulatory agency, but does not include any  
1 31 agricultural commodity promotional board, which is subject to  
1 32 a producer referendum.

1 33 Sec. 3. Section 68B.4, unnumbered paragraph 2, Code 2005,  
1 34 is amended to read as follows:

1 35 The board shall adopt rules specifying the method by which  
2 1 employees may obtain agency consent under this section. ~~Each~~  
2 2 ~~regulatory agency~~ The board shall adopt rules specifying the  
2 3 method by which officials may obtain agency consent under this  
2 4 section. A regulatory agency granting consent under this  
2 5 section shall file a copy of the consent with the board within  
2 6 twenty days of the consent being granted.

2 7 Sec. 4. Section 68B.4B, unnumbered paragraph 1, Code 2005,  
2 8 is amended to read as follows:

2 9 A permanent full-time member of the office of the governor  
2 10 shall not sell, either directly or indirectly, any goods or  
2 11 services to ~~individuals, associations, or corporations which~~  
2 12 ~~employ persons who are registered lobbyists~~ a registered  
2 13 lobbyist before the general assembly or the executive branch  
2 14 or to an individual, association, or corporation which employs  
2 15 a person who is a registered lobbyist before the general  
2 16 assembly or the executive branch, except when the member of  
2 17 the office of the governor has met all of the following  
2 18 conditions:

2 19 Sec. 5. Section 68B.22, subsection 4, paragraph r, Code  
2 20 2005, is amended to read as follows:

2 21 r. Gifts of food, beverage, and entertainment received by  
2 22 public officials or public employees at a reception function  
2 23 where every member of the general assembly has been invited to  
2 24 attend, when the reception function takes place during a  
2 25 regular session of the general assembly. A sponsor of a  
2 26 reception function under this paragraph shall file a report  
2 27 disclosing the total amount expended, including in-kind  
2 28 expenditures, on food, beverage, and entertainment for the  
2 29 reception function. The report shall be filed with the person  
2 30 or persons designated by the secretary of the senate, and the  
2 31 chief clerk of the house, and the board within five business  
2 32 days following the date of the reception function. The person  
2 33 or persons designated by the secretary of the senate and the  
2 34 chief clerk of the house shall forward a copy of each report  
2 35 to the board.

3 1 Sec. 6. Section 68B.32A, subsections 3, 5, 11, and 12,  
3 2 Code 2005, are amended to read as follows:

3 3 3. Review the contents of all campaign finance disclosure  
3 4 reports and statements filed with the board and promptly  
3 5 advise each person or committee of errors found. The board

3 6 may verify information contained in the reports with other  
3 7 parties to assure accurate disclosure. The board may also  
3 8 verify information by requesting that a candidate or committee  
3 9 produce copies of receipts, bills, logbooks, or other  
3 10 memoranda of reimbursements of expenses to a candidate for  
3 11 expenses incurred during a campaign. The board, upon its own  
3 12 motion, may initiate action and conduct a hearing relating to  
3 13 requirements under chapter 68A. ~~The board may require a~~  
~~3 14 county commissioner of elections to periodically file summary~~  
~~3 15 reports with the board.~~

3 16 5. Prepare and publish a manual setting forth examples of  
3 17 approved uniform systems of accounts and approved methods of  
3 18 disclosure for use by persons required to file statements and  
3 19 reports under this chapter and chapter 68A. The board shall  
3 20 also prepare and publish other educational materials, and any  
3 21 other reports or materials deemed appropriate by the board.  
3 22 The board shall annually provide all officials and state  
3 23 employees with notification of the contents of this chapter  
3 24 and chapter 68A by distributing copies of educational  
3 25 materials to ~~associations that represent the interests of the~~  
~~3 26 various governmental entities for dissemination to their~~  
~~3 27 membership each agency of state government under the board's~~  
~~3 28 jurisdiction.~~

3 29 11. Establish a procedure for requesting and issuing board  
3 30 advisory opinions to persons subject to the authority of the  
3 31 board under this chapter or chapter 68A. Local officials and  
3 32 local employees may also seek an advisory opinion concerning  
3 33 the application of the applicable provisions of this chapter.  
3 34 Advice contained in board advisory opinions shall, if  
3 35 followed, constitute a defense to a complaint ~~filed with the~~  
~~4 1 board~~ alleging a violation of this chapter, chapter 68A, or  
4 2 rules of the board that is based on the same facts and  
4 3 circumstances.

4 4 12. Establish rules relating to ethical conduct for  
4 5 ~~persons holding a state office in the executive branch of~~  
~~4 6 state government, including candidates, and for employees of~~  
~~4 7 the executive branch of state government officials and state~~  
~~4 8 employees, including candidates for statewide office, and~~  
4 9 regulations governing the conduct of lobbyists of the  
4 10 executive branch of state government, including but not  
4 11 limited to conflicts of interest, abuse of office, misuse of  
4 12 public property, use of confidential information,  
4 13 participation in matters in which an official or state  
4 14 employee has a financial interest, and rejection of improper  
4 15 offers.

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4 20 CHRISTOPHER C. RANTS  
4 21 Speaker of the House

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4 23 \_\_\_\_\_  
4 24 JOHN P. KIBBIE  
4 25 President of the Senate

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4 27 I hereby certify that this bill originated in the House and  
4 28 is known as House File 253, Eighty-first General Assembly.

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4 31 \_\_\_\_\_  
4 32 MARGARET THOMSON  
4 33 Chief Clerk of the House

4 34 Approved \_\_\_\_\_, 2005

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5 3 THOMAS J. VILSACK  
5 4 Governor